

80



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/939,531	08/24/2001	Jeffrey Hoffstein	NTRU-55769	2489
7590 06/23/2005			EXAMINER	
Martin Novack 16355 Vintage Oaks Lane Delray Beach, FL 33484			ZAND, KAMBIZ	
			ART UNIT	PAPER NUMBER
			2132	

DATE MAILED: 06/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO. <i>09</i> CONTROL NO. <i>939,531</i>	FILING DATE <i>08/24/2001</i>	FIRST NAMED INVENTOR / <i>HOFFSTIEN</i> PATENT IN REEXAMINATION <i>et al</i>	ATTORNEY DOCKET NO. <i>NTRU-55769</i>
---	----------------------------------	---	--

EXAMINER

Kambiz Zand

ART UNIT	PAPER
----------	-------

2132

20050609

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

per applicant's request a copy of office action is enclosed. It is noted that Applicant has notified the office that the notice of allowance and related paper work has been received by the Applicant through the former Attorney on the case (see Applicant's request for a copy of the office action and re-start of the time period).

**DETAILED ACTION
EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Martin Novack on 05/09/2005.

The application has been amended as follows:

Specification, page 4, starting at line 24

The following definition is used for purpose of describing the present inventions. A computer readable medium shall be understood to mean any article of manufacture that contains data that can be read by a computer [or]excluding a carrier wave signal carrying data that can be read by a computer. Such computer readable media includes but is not limited to magnetic media, such as floppy disk, a flexible disk, a hard disk, reel-to-reel tape, cartridge tape, cassette tape or cards; optical media such as CD-ROM and writeable compact disc; magneto-optical media in disc, tape or card form; paper media, such as punched cards and paper tape[; or on carrier wave signal received through a network, wireless network or modem, including radio-frequency signals and infrared signals].

2. The text of those sections of Title 35, U.S. Code not included in this section can be found in the prior office action.

3. The prior office actions are incorporated herein by reference. In particular, the observations with respect to claim language, and response to previously presented arguments.

4. Priority to U.S. Provisional Application Serial No. 60/228,557, filed August 29, 200 have been acknowledged.

5. Examiner withdraws U.S.C 112 rejection of claims 2 and 7 due to cancellation of the claim by the Applicant.

6. Claims 1-39 have been cancelled.

7. New claims 40-72 have been added.

8. Claims 40-72, now, re-numbered as claims 1-33 are pending.

Response to Arguments

9. Applicant's arguments filed 02/17/2005 have been fully considered and they are persuasive.

Allowable Subject Matter

10. Claims 40-72 are allowed.

Conclusion

11. Any comments considered necessary by the applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled "comments on statement of reasons for allowance."

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kambiz Zand whose telephone number is (703) 306-4169. The examiner can normally be reached on Monday-Thursday (8:00-5:00). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (703) 305-1830. The fax phone numbers for the organization where this application or proceeding is assigned is (703) 872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866 217 9197 (toll free).


Kambiz Zand

05/06/2005

Au 2132